

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



Senate
Office of the Secretary

22 NOV -9 P1:21

SENATE
S. No. 1487

RECEIVED BY:

Introduced by SENATOR RAMON BONG REVILLA, JR.

**AN ACT
ESTABLISHING A TOTAL BAN ON THE IMPORTATION OF WASTES,
PROVIDING MEANS FOR ITS ENFORCEMENT, APPROPRIATIONS AND FOR
OTHER PURPOSES**

EXPLANATORY NOTE

In 1999, 120 container vans containing toxic and hazardous wastes, including hospital wastes, were illegally shipped into the country from Japan.

Between 2013 and 2014, containers of mislabelled rubbish, actually containing mixed household wastes, entered the Port of Manila. Only after five years of diplomatic and legal battles, roughly 1,500 tons of waste were repatriated to Canada.

In 2018, 6,000 tons of wastes, including used batteries, diapers and dextrose tubes, were shipped from South Korea to Misamis Oriental.

In 2019, a container of electronic waste, mislabelled as "assorted electronic accessories," from Hong Kong entered the country.

These are just some of the publicized and controversial incidents of illegal waste shipments into the country. As reported by the EcoWaste Coalition and Greenpeace, it is believed that many other cases of illegal entry and importation of wastes happen without the knowledge of the authorities.

This bill establishes a total ban on the importation of waste, processed waste and its by-products. Not only will this declare a national policy against entry of garbage into the Philippine territory and prevent future incidents of waste shipments, especially from more developed countries, this will also uphold every Filipino's right to a healthy

ecology and thwart the exacerbation of our local trash problem and pollution of our environment.

With the passage of this measure, we aim to send a strong message to the international community that the Philippines is not a dumping ground for their wastes. In this light, the passage of this bill is highly recommended.



RAMON BONG REVILLA, JR.

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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

1 Section 1. *Short Title.* – This Act shall be known as the “*Total Ban on the*
2 *Importation of Wastes Act*”.

3 Sec. 2. *Declaration of Policy.* – It is State policy to protect and advance the
4 right of the people to a balanced and healthful ecology in accord with the rhythm and
5 harmony of nature. It is hereby declared a policy of the State to prohibit the entry and
6 importation of wastes to the Philippine territory for whatever purpose to ensure
7 environmental integrity and sustainability, protect public health and safety, and
8 promote the overall wellbeing of the Filipino people.

9 Sec. 3. *Total Ban on Importation of Wastes, Processed Wastes and Waste By-*
10 *Products.* – It is hereby declared illegal for any person, group of persons, business,
11 corporate entity or government office, to import, for use, treatment, processing,
12 recycling, storage, or whatever purpose, any form and whatever amount of waste,
13 processed waste materials, waste by-products, whether organic or inorganic, and in
14 whatever form whether solid, liquid, liquefied, gaseous, or mixture of substances.

15 Imported cargoes declared as wastes or mis-declared to conceal the true waste
16 cargo or smuggled into the country shall not be offloaded from any transport vessel

1 and shall be immediately ordered by port authorities to depart from the port and return
2 the illegal cargo to its port of origin, with all costs borne by the shipper.

3 The Department of Transportation (DOTr), in coordination with the Department
4 of Foreign Affairs (DFA), the Bureau of Customs (BOC), and Maritime Industry
5 Authority (MARINA), shall take control of the seized vessel, hire the services of
6 competent and properly certified officers and crew, and return the seized vessel to the
7 port of origin of the contraband waste cargo.

8 *Sec. 4. Environmental Protection Desk at All Ports of Entry.* – To enable the
9 proper front line enforcement of this Act, the Department of Environment and Natural
10 Resources (DENR), Department of Finance (DFA) and the DOTR shall jointly establish
11 an Environmental Protection Desk at every port of entry in the country to be manned
12 twenty four (24) hours a day, seven (7) days a week by competent and adequately
13 trained personnel.

14 *Sec. 5. Penalties.* – The relevant penal provisions of environmental and customs
15 law, including but not limited to, the following laws shall apply as penalties to violations
16 of this Act:

- 17 a) Ecological Solid Waste Management Act of 2000 (Republic Act No. 9003);
- 18 b) Philippine Clean Air Act of 1999 (Republic Act No. 8749);
- 19 c) Philippine Clean Water Act of 2004 (Republic Act No. 9275);
- 20 d) Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990
21 (Republic Act No. 6969); and
- 22 e) Customs Modernization and Tariff Act (Republic Act No. 10863).

23 Transport vessels which refuse to comply with the lawful orders of port
24 authorities to immediately depart and not to offload the imported contraband waste
25 cargo shall be seized, and all its officers, crew, contraband shipment consignee shall
26 be immediately arrested for violation of this Act and of customs and environment
27 protection laws.

28 The shipper of the imported contraband waste cargo shall be immediately and
29 permanently banned from shipping or causing the transport of any cargo to the
30 Philippines.

31 The Implementing Rules and Regulations of this Act shall include other
32 penalties and fines as may be deemed necessary.

1 Sec. 6. *Implementing Rules and Regulations (IRR)*. – The Departments of
2 Transportation, Environment and Natural Resources, Finance, Justice, and Foreign
3 Affairs shall jointly craft, adopt, and execute the IRR of this Act within sixty (60) days
4 from its enactment into law.

5 Sec. 7. *Appropriations*. – The annual budget necessary to implement this Act
6 shall be included in the regular annual general appropriations.

7 Sec. 8. *Separability Clause*. – If any provision or part hereof is held invalid or
8 unconstitutional, the remainder of the law or the provision or part not otherwise
9 affected shall remain in full force and effect.

10 Sec. 9. *Repealing Clause*. – Any law, presidential decree or issuance, executive
11 order, letter of instruction, administrative order, rule, or regulation contrary to or
12 inconsistent with the provisions of this Act are hereby repealed, modified, or amended
13 accordingly.

14 Sec. 10. *Effectivity*. – This Act shall take effect fifteen (15) days after its
15 complete publication in the *Official Gazette* or in two (2) newspapers of general
16 circulation in the Philippines.

Approved,